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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00325-01 HG
)	
Plaintiff,)	ORDER DENYING DEFENDANT'S
)	MOTION TO AMEND TERMS OF
vs.)	PRETRIAL RELEASE
)	
GARY MATSUO, (01))	
)	
Defendant.)	
_____)	

ORDER DENYING DEFENDANT'S MOTION TO AMEND
TERMS OF PRETRIAL RELEASE

The Defendant's Motion to Amend Terms of Pretrial Release came on for hearing on June 26, 2006, before this Court. Chris A. Thomas, Assistant United States Attorney, appeared on behalf of the United States, and Glenn D. Choy, Esq., appeared on behalf of Defendant.

Upon consideration of the motion submitted in connection with this matter and the arguments of counsel at the hearing, this Court denied Defendant's Motion for Supervised Release and made the following conclusions of law:

CONCLUSIONS OF LAW

1. That the Government has shown, by a preponderance of the evidence, that Defendant presents a serious risk of flight pursuant to 18 U.S.C. § 3142(f)(2)(A);

2. That the Government has shown, by clear and convincing evidence, that Defendant presents a danger to other persons and the community;

3. That, at this time, there is no condition or combination of conditions of release which will reasonably assure Defendant's appearance as required pursuant to 18 U.S.C. § 3142(e); and

4. That there is no condition or combination of conditions of release which will reasonably assure the safety of any other person and the community pursuant to 18 U.S.C. § 3142(f).

Therefore, for the reasons stated in Court on June 26, 2006,

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IT IS HEREBY ORDERED that the Defendant's Motion to Amend Pretrial Release is Denied and that the present conditions of pretrial release shall remain in effect.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: June 28, 2006

U.S. v. Gary Matsuo
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to Amend Terms of Pretrial Release